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DEC 27 1989

5HSM-12

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RE: Dead Creek Site, Sauget, Illinois Site No. 60

Dear Sir or Madam:

The United States Environmental Protection Agency (U.S. EPA) in cooperation with the Illinois Environmental Protection Agency has been conducting response actions to address contamination at the Dead Creek Site in Illinois. U.S. EPA took these actions under authority of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. Section 9601 et seq., as subsequently amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. 99-499 (CERCLA as amended). Prior to undertaking these response actions, U.S. EPA determined that there was a release or threatened release of hazardous substances from the Dead Creek Site.

During the response, U.S. EPA undertook several actions at the site. This included the erection of 4,146 feet of cyclone fencing to enclose the contamination and to prevent entry into this abandoned disposal area.

Response costs associated with this site have been incurred by U.S. EPA. The approximate U.S. EPA response costs identified up to December 18, 1989 for the above referenced Site are \$49,974.51. A summary is enclosed.

Information available to U.S. EPA indicates among other things that you are potentially responsible for the release, or threat of release of hazardous substances from the site. Pursuant to the provisions of Section 107(a) of CERCLA, as amended, and based on evidence currently available to the Agency, U.S. EPA believes that you may be liable for the payment of all costs incurred by U.S. EPA in connection with the site. The potentially responsible parties are jointly and severally liable for the whole amount.

Such payment must be made to the U.S. EPA Hazardous Substances Superfund established pursuant to Section 221 of CERCLA, as amended, which is administered by U.S. EPA. Please send your check to U.S. EPA - Region V,

Attn: Superfund Accounting, P.O. Box 70753, Chicago, Illinois 60673. Place the site identification number on the check. Please send a copy of your payment check to Shirley Dorsey, U.S. EPA, Region V, Waste Management Division (5HSM-TUB7), 230 South Dearborn Street, Chicago, Illinois 60604.

We hereby request that you make restitution by payment of the amount in this letter plus interest, together with any sums hereafter expended by the Agency in connection with the site pursuant to authority of CERCLA, as amended. Pursuant to Section 107(a) of CERCLA, as amended, interest shall begin accruing as of the date of this demand, if payment is not received within thirty (30) days of the date of this letter.

If you desire to discuss your liability with U.S. EPA, please contact Elizabeth Doyle, Assistant Regional Counsel, in writing not later than thirty (30) days after the date of this letter. Ms. Doyle may also be reached by phone at (312) 886-7951.

If we do not receive a response from you within this time frame, the U.S. EPA will assume that you have declined to reimburse the Fund for the site expenditures, and pursuant to CERCLA, as amended, U.S. EPA may pursue civil litigation against you.

The name of other potentially responsible parties (PRPs) receiving this request for payment are enclosed with this letter to facilitate organization among the identified parties concerning payment. The PRPs should work out an allocation among themselves to apportion costs.

Sincerely yours,

John Kelley, Chief
Superfund Program Management Branch

Enclosures

cc: William Child, Director
Division of Land Pollution Control
Illinois Environmental Protection Agency
2200 Churchill Road
P.O. Box 19276
Springfield, Illinois 62794-9276

bcc: O. Warnsley, Chief RP/CRU (W/O SPUR)
Vince D'Aloia, MF-14 (W/O PRP List, SPUR & SPUR Summary)
Elizabeth Doyle, ORC-TUB (W/O SPUR & SPUR Summary)
Shirley Dorsey, TSS-12

DEAD CREEK POTENTIALLY RESPONSIBLE PARTY LIST

1. Cerro Copper Products Company
P.O. Box 681
East St. Louis, IL 62202
2. Midwest Rubber Reclaiming
P.O. Box 2349
East St. Louis, IL 602202
3. Ruan Transportation
Box 855
Des Moines, IA 50304
4. Monsanto Chemical Company
500 Monsanto Avenue
Sauget, IL 62206-1198

**CUMULATIVE COST SUMMARY
DEAD CREEK, IL
SUPERFUND SITE # 60
PREPARED 12/11/89**

EPA EXPENDITURES	Cumulative Costs Through October 31, 1989
EPA PAYROLL —	
-- Headquarters	\$ 0.00
-- Regional	6,624.80
INDIRECT COST —	
	4,640.10
EPA TRAVEL —	
-- Headquarters	0.00
-- Regional	1,381.49
FIELD INVESTIGATION TEAM CONTRACT—	
--ECOLOGY AND ENVIRONMENT (68-01-6056)	5,773.12
OTHER EXPENDITURES—	
WDM OFFICE SUPPLIES (58589GGBX)	110.00
--OSC LET CONTRACT(68-01-6620)	30,845.00
--OSC LET CONTRACT(68-85-0151)	400.00
--OSC LET CONTRACT(68-85-0152)	<u>200.00</u>
TOTAL EPA COSTS BEFORE INTEREST	\$ 49,974.51
Pre-Judgement Interest	<u>0.00</u>
TOTAL EPA COSTS FOR DEAD CREEK	\$ 49,974.51
TOTAL COSTS RECOVERED TO DATE	<u>0.00</u>
TOTAL EPA UNRECOVERED COSTS DEAD CREEK	\$ <u><u>49,974.51</u></u>

Please Note: National Contract Laboratory program costs, if incurred, may be significantly understated. These costs do not include any lab costs that may have been billed to EPA prior to FY 1986 and no estimate of the CLP Sample Management Cost (ranges from 6.1 % to 17% of Analytical costs) is provided. A complete accounting of Contract Laboratory Costs is normally provided by VIAR



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

230 SOUTH DEARBORN ST.

CHICAGO, ILLINOIS 60604

REPLY TO THE ATTENTION OF:

5HSM-12

DEC 27 1989

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for Shirley Wauert
John Kelley, Chief
Superfund Program Management Branch

Enclosures

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Division of Land Pollution Control
Illinois Environmental Protection Agency
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Springfield, Illinois 62794-9276

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Shirley Dorsey, TSS-12
5HSM-12;CERCLA:S.DORSEY'S:DISK 3:DEADGREE.DEM:11/15/89:tm

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3. Ruan Transportation
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Des Moines, IA 50304
4. Monsanto Chemical Company
500 Monsanto Avenue
Sauget, IL 62206-1198

12/15/89. CONCURRENCE REQUESTED									
TECHNICAL SUPPORT SECTION, SPMB, OSF									
AUTHOR	TAHIRA	PRE-REM	TECH. SUPP	PRP	SEC. CH.	BR. CH.	ADD	WMD	ORA

DESK INFORMATION:

12-26-89 10/27/89

12/27/89
12/28/89
12/28/89



217/782-5544

Attachment #2
Environmental Protection Agency

2200 Churchill Road, Springfield, Illinois 62706

July 22, 1982

Michael O'Toole, On-Scene Coordinator
United States Environmental Protection Agency
Region V
230 South Dearborn Street
Chicago, Illinois 60604

Re: Access to Dead Creek Site, Sauget

Dear Mr. O'Toole:

I am in receipt of your letter dated July 20, in which you request access to the above-referenced property, specifically that property between Judith and Queeny Roads, for the purpose of replacing the existing fence with a more secure fence. You correctly note that this Agency has sealed the site from general access pursuant to Section 34 of the Illinois Environmental Protection Act.

I am authorized to inform you that this Agency has approved your request. Naturally, this authorization is limited to the purposes and locations stated in your letter, and does not relieve representatives of your Agency and its contractors from responsibility for working out any access-related or other difficulties associated with the impact of your actions on adjacent properties.

I also wish to remind you that, to the extent possible, the existing fence originally erected by this Agency should be set aside and made available for removal by this Agency. You can simply advise me or Bill Child as to when and where the old fence will be available for pickup.

If you have any further questions, please don't hesitate to contact me. Thank you for your actions in securing this site.

Very truly yours,

A handwritten signature in black ink, reading "Phillip R. Van Ness". The signature is written in a cursive, flowing style.

Phillip R. Van Ness
Enforcement Programs Division

PRVN:bkm

cc: Bill Child
Bill Seltzer
Ken Mensing